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5 Attorneys for Plaintiff
MAJOR FARMS, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

10 HIGASHI FARMS, INC., a corporation; K&S) Case Nos.: 09-CV-04983-JF
F FARMS, LLC, a limited liability company;) 09-CV-04985-JF
M. NISHIMORI FARMS, INC., a) 09-CV-04207-JF

**PLAINTIFF MAJOR FARMS, INC.'S NOTICE
OF WITHDRAWAL OF PACA TRUST CLAIM
AND AGREED DISMISSAL OF COMPLAINT
AND REQUEST FOR DISMISSAL WITH
PREJUDICE AS TO DEFENDANT SALYER
AMERICAN FRESH FOODS, A CALIFORNIA
CORPORATION, ONLY AND [PROPOSED]
ORDER REGARDING DISMISSAL**

17 BANK OF THE WEST, a California banking
18 corporation, as Administrative Agent for
19 itself, AGSTAR FINANCIAL SERVICES,
20 PCA/FLCA, and FCS FINANCIAL, PCA;
STEVE FRANSON, as Receiver for SALYER
AMERICAN FRESH FOODS, a California
Corporation,

21 || Defendants.

AND ALL RELATED ACTIONS.

Higashi Farms, Inc., v. Salver American Fresh Foods, et al.

Plaintiff Major Farms, Inc.'s Request for Dismissal

1 Pursuant to the Stipulation to Resolve and Release Claims of Major Farms, Inc. and Dismiss
2 Pending complaint/Complaint in Intervention and/or Withdrawal of Claim dated May 20, 2011, ECF No.
3 83, Plaintiff Major Farms, Inc. hereby gives notice that it is withdrawing its PACA Trust Claim, as to
4 Defendant Salyer American Fresh Foods, a California corporation (“SAFF”) **only**, and it respectfully
5 requests that this Court dismiss Major Farms, Inc.’s Complaint as to Defendant SAFF **only**.

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7 Dated: June 24, 2011

ANASTASSIOU & ASSOCIATES

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By: /s/ Effie F. Anastassiou

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Effie F. Anastassiou, Esq.
10 Attorneys for Plaintiff,
Major Farms, Inc.

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ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED that Major Farms, Inc.’s Complaint is

13 dismissed as to Defendant SAFF **only**.

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SO ORDERED.

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16 Dated: 6/30/11

17 United States District Court Judge Jeremy Fogel

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